



## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



July 2, 1993

David A. Simpson  
Dinkelspiel, Donovan & Reder  
One Embarcadero Center, 27th Floor  
San Francisco, CA 94111

Re: Bakersfield Cellular Telephone Co. (Bakersfield Cellular)  
Advice Letter No. 52 - Request to set roamer rates for  
customers who roam in the Los Angeles service area

Dear Mr. Simpson:

This is to confirm your July 1, 1993 telephone conversation with  
Nora Gatchalian concerning the above mentioned advice letter  
filing.

Bakersfield Cellular's Advice Letter No. 52 requires Commission  
approval before it can be effective. In order that the staff may  
complete its review of this filings, please provide the  
Commission Advisory and Compliance Division (CACD) the following  
information:

1. Reason(s) for the proposed flat roamer rate of 79 cents  
per minute for customers who roam in the Los Angeles  
area.
2. The revenue effect resulting from the proposed flat  
roamer rate instead of the the current charges of \$2/day  
for access and 65 cents/minute for airtime usage.
3. An estimate total number of customers who roam in the Los  
Angeles area that would be affected by the proposed  
roamer rate.
4. A dated copy of customer notice of the proposed change  
stated in Item No. 1. If notice has been sent, please  
forward a copy of the customer notice with a letter  
certifying the date the notice was mailed.

Your prompt compliance with CACD's data request will expedite the  
processing of this advice letter.

If you have any questions, please call Nora Gatchalian at  
(415) 703-2124.

Sincerely,

*Jack Leutza*

Jack Leutza, Chief  
Telecommunications Branch  
Commission Advisory and Compliance Division

EXHIBIT B

/ Exhibit C



## PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Commission Advisory and Compliance Division  
Telecommunications Branch

RESOLUTION T-15387  
October 6, 1993

**R E S O L U T I O N**

RESOLUTION T-15387. BAKERSFIELD CELLULAR TELEPHONE COMPANY. REQUEST TO SET ROAMER RATES OUTSIDE UTILITY'S CELLULAR GEOGRAPHICAL SERVICE AREA.

BY ADVICE LETTER NO. 52, FILED ON FEBRUARY 16, 1993, AND  
ADVICE LETTER NO. 52-A, FILED ON JUNE 15, 1993.

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**SUMMARY**

This Resolution grants, on a provisional basis, Bakersfield Cellular Telephone Company's request to set a flat roaming rate for its customers who travel in the Los Angeles cellular geographical service area. Bakersfield Cellular Telephone Company proposes such rate restructuring in response to competition in the marketplace and indicates that its request is revenue neutral. No one protested this advice letter filing.

**BACKGROUND**

Bakersfield Cellular Telephone Company (Bakersfield Cellular) is a nonwireline facilities-based carrier operating in portions of Kern County. On February 16, 1993, Bakersfield Cellular filed Advice Letter (A.L.) No. 52 requesting authority to offer a flat roamer rate of \$0.79/minute for its customers who roam in the Los Angeles cellular geographical service area (CGSA). On June 15, 1993, Bakersfield Cellular supplemented its A.L. No. 52 to clarify that its proposed roamer rate is to be offered for one year only.

A roamer rate is a rate charged by a carrier to a cellular customer who travels into that carrier's CGSA, an area outside the CGSA of the designated carrier of the customer. The carrier that provides the cellular roaming service to the visiting customer normally sets those rates and bills the customer's carrier, who passes through the roaming rate to the customer.

In its advice letter, Bakersfield Cellular proposes not to pass through the other carrier's current roaming rate of \$2.00/day for access and \$0.65/minute for usage to Bakersfield Cellular's customers who roam in the Los Angeles CGSA. Instead,

EXHIBIT <u>  C  </u>
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Bakersfield Cellular proposes to establish a flat roamer rate of \$0.79/minute. Bakersfield Cellular is proposing such re-rating largely in response to competitive pressures of the marketplace. Many California carriers have done away with daily access charges in favor of a flat rate.

#### NOTICE/PROTESTS

Public notice of Bakersfield Cellular's A.L. Nos. 52 and 52-A was made by publication in the Commission's Daily Calendar of May 26, 1993 and June 18, 1993, respectively. Also, pursuant to General Order No. 96-A, Section III, Paragraph 6, Bakersfield Cellular mailed copies of its advice letters to other utilities and to all interested parties requesting notification. Bakersfield Cellular's customers were notified of the proposed roamer rate by bill inserts. No protests were received.

#### DISCUSSION

Bakersfield Cellular's proposed roamer rate deviates from the normal roamer rate tariffs because a roamer rate is usually set by the carrier providing the cellular service.

Recently, the Commission has authorized carriers to set roamer rates for their own customers when they travel into another carrier's service territory. However, the Commission was concerned about the carrier's setting rates outside its service territory since the carrier providing the roamer service normally sets the roamer rates. The Commission was only willing to authorize such rates on a provisional basis. Past authorizations in Resolutions T-14621 (McCaw-Affiliated Cellular Companies), T-14986 (Alpine CA-3 L.P. & Cellular 2000), and T-14990 (PacTel), and T-15197 (LA Cellular Telephone Company), required that any requests to make the provisional tariffs permanent needed to be filed as a formal application.

In Resolution T-14621, the first such authorization, the Commission stated that when McCaw-Affiliated Cellular companies file an application to make the roamer rates permanent, the Commission will have the opportunity to determine whether the new rates are revenue neutral and to evaluate the reasonableness of setting roamer rates outside a carrier's service territory. In Resolution T-14621, we required that the carrier's roamer rate revisions be revenue neutral to ensure that customers were not disadvantaged by the proposed rate changes.

In the case of Bakersfield Cellular's request, the proposed elimination of the current \$2.00/day access would offset the \$0.14 (\$0.79 - \$0.65) increase in the per minute charge. The net effect of the proposed rate is expected by Bakersfield Cellular to be revenue neutral, and it has submitted data supporting its claim. Therefore, we will consider Bakersfield Cellular's request as a form of rate restructuring rather than a

October 6, 1993

rate increase. We intend to require monitoring reports to ensure that Bakersfield Cellular's rate restructuring would indeed be revenue neutral.

Since Bakersfield Cellular indicates that its request would be revenue neutral, we will approve its request to set roamer rates outside its service area on a one year provisional basis. Any requests by Bakersfield Cellular to extend or to make the provisional tariffs permanent should be filed through an application, unless the Commission has settled the legal issue raised in A.93-01-034[1]. In that case, the utility need file only an advice letter requesting that the roamer tariff be made permanent. The advice letter filing, however, must be consistent with the order or orders in A.93-01-034.

Further, we will require Bakersfield Cellular to provide periodic monitoring data to establish that the proposed rate restructuring would be revenue neutral. All monitoring data submitted by Bakersfield Cellular will be reviewed as part of the evaluation process if Bakersfield Cellular seeks permanent tariff authority for these roamer rates, whether through an application or advice letter.

#### FINDINGS

1. Bakersfield Cellular seeks to set roamer rates for its cellular customers who travel into Los Angeles CGSA. Bakersfield Cellular requests that this authority be granted for a period of 12 months.
2. Bakersfield Cellular indicates that its proposed rate restructuring would be revenue neutral.
3. Monitoring reports are required to determine if the rate restructuring is revenue neutral.
4. The issue of a utility's setting rates outside its service area is under consideration by the Commission in A.93-01-034.

#### **THEREFORE, IT IS ORDERED that:**

1. Bakersfield Cellular Telephone Company is granted authority to set rates for its customers who travel in the Los Angeles cellular geographical service area, as requested in its Advice Letter No. 52-A.

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1 In A.93-01-034, McCaw-Affiliated Cellular companies request to make their provisional roamer rates authorized in Resolution T-14621 permanent.

October 6, 1993

2. The authority granted in Ordering Paragraph No. 1 shall become effective on the effective date of this Resolution up to October 6, 1994, as requested. Any requests for further extension or permanence of this authority shall be filed through an application, unless the Commission settles the issue of a utility setting rates outside its service area in Application 93-01-034. In that case, a utility need only file an advice letter consistent with the order or orders in Application 93-01-034.

3. Bakersfield Cellular Telephone Company shall file a monthly report summarizing its data on outcollect roamer revenues. The monthly reports shall include the following data: total calls, total minutes, and total air charges.

4. Every three months following implementation, Bakersfield Cellular Telephone Company shall provide a statistical comparison of roamer data under the old and new plans. A statistical valid sample of customer bills is to be rerated using the previous roamer rates. The utility is to sample roamer usage for one month during the quarter. The workpaper must include the sample selection methodology. The report must show: total calls, total minutes, total air charges, total daily access charges, and total charges.

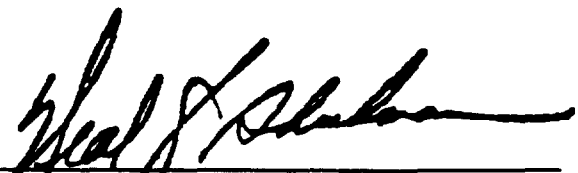
5. All monitoring reports shall be directed to the Chief, Telecommunications Branch, Commission Advisory and Compliance Division and are due 30 days following the time period being reported.

6. Copies of all monitoring reports shall be filed with any request the utility may decide to file to make the tariffs permanent.

This Resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on October 6, 1993. The following Commissioners approved it:

DANIEL Wm. FESSLER  
President  
PATRICIA M. ECKERT  
NORMAN D. SHUMWAY  
P. GREGORY CONLON  
Commissioners

  
NEAL J. SHULMAN  
Executive Director

Commissioner Jessie J. Knight, Jr.  
present but not participating.





U-3017-C

BAKERSFIELD CELLULAR TELEPHONE COMPANY  
4180 TRUXTUN AVENUE  
BAKERSFIELD, CALIFORNIA 93309

JUL 09 1993

ADVICE LETTER NO. 55

July 9, 1993

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA

Bakersfield Cellular Telephone Company ("Utility") hereby submits the original and five copies of the following tariff sheets relating to its cellular radiotelephone service:

New CPUC  
Sheet No.

Cancelling  
CPUC Sheet No.

3-T 31st Revised Sheet No. 1  
3-T 8th Revised Sheet No. 8

3-T 30th Revised Sheet No. 1  
3-T 7th Revised Sheet No. 8

This Advice Letter is filed for the purpose of extending an existing High Volume Discount Plan.

Utility requests that the tariff changes submitted herewith be made effective immediately pursuant to Utility's Temporary Tariff Authority. Copies of this Advice Letter and related tariff sheets are being mailed to all competing and adjacent utilities and to other interested parties having requested such information.

Anyone may protest this Advice Letter to the California Public Utilities Commission ("Commission"). The protest must set forth the specific grounds on which it is based, including such items as financial and service impact. A protest must be made in writing and received within 20 days of the date this Advice Letter was filed with the Commission. The address for mailing and delivering a protest to the Commission is:

EXHIBIT D

Chief, CACD Telecommunications Branch  
California Public Utilities Commission  
505 Van Ness Avenue, Room 3203  
San Francisco, California 94102

A copy must be mailed to the undersigned Utility on the same date it is mailed or deliver to the Commission.

After filing these tariff sheets, please provide this office with a file-stamped copy of this Advice Letter (an extra copy has been enclosed), with accompanying tariff sheets, in the enclosed self-addressed stamped envelope.

Respectfully submitted,

BAKERSFIELD CELLULAR TELEPHONE COMPANY

By

  
David A. Simpson

DINKELSPIEL, DONOVAN & REDER  
One Embarcadero Center, 27th Floor  
San Francisco, CA 94111  
Telephone: (415) 788-1100

Its Attorneys

BAKERSFIELD CELLULAR TELEPHONE COMPANY  
4180 Truxtun Avenue  
Bakersfield, California 93309

Schedule Cal.P.U.C. No. 3-T  
31st Revised Sheet No. 1  
Cancelling 30th Revised Sheet No. 1

CELLULAR RADIO TELECOMMUNICATIONS SERVICE (RETAIL)

LIST OF EFFECTIVE SHEETS

<u>Sheet</u>	<u>Number of Revision</u>	
Title	Original	
1	31st Revised	(T)
2	10th Revised	
3	3rd Revised	
4	2nd Revised	
5	3rd Revised	
5.1	Original	
5.2	Original	
5.3	1st Revised	
5.4	3rd Revised	
6	1st Revised	
7	4th Revised	
8	8th Revised	(T)
9	5th Revised	
10	3rd Revised	
11	2nd Revised	
12	Original	
13	1st Revised	
14	6th Revised	
15	2nd Revised	
16	Original	
17	Original	
18	3rd Revised	

Issued by

Advice Letter No. 55

Date Filed \_\_\_\_\_

Brian Ducharme

Decision No. \_\_\_\_\_

NAME

Effective \_\_\_\_\_

General Manager

TITLE

Resolution No. \_\_\_\_\_

CELLULAR RADIO TELECOMMUNICATIONS SERVICE  
(Continued)

SPECIAL CONDITIONS - RETAIL (Continued)

F. Deposits

2. Simple interest at the rate of five percent (5%) per annum will be paid on all sums retained on deposit by the Company for a continuous 30-day period or longer. No interest will be paid on a deposit or any portion of a deposit after the date on which a notice of refund is placed in the U.S. Mail postage paid and addressed to the last known address of the customer.
3. The fact that a deposit has been made neither relieves the customer from complying with the Company's regulations on the prompt payment of bills on presentation nor constitutes a waiver or modification of the regulations of the Company providing for the discontinuance of service for nonpayment of any sums due the Company for service rendered.

G. Temporary Promotional Offerings:

High Volume Discount Plan

This High Volume Discount Plan shall be available from the effective date of this Advice Letter until July 31, 1994.

(T)

1. Service Establishment Fee

\$25.00 for each cellular telephone number activated pursuant to the High Volume Discount Plan.

2. Access and Usage Rates Discount Schedule

<u>Minimum Monthly Total</u> <u>of Basic Monthly Access</u> <u>&amp; Usage Rates Charges</u>	<u>Applicable</u> <u>Discount</u>
Plan Level 1 \$ 1,500	5%
Plan Level 2 \$ 7,000	10%
Plan Level 3 \$14,000	13%
Plan Level 4 \$35,000	15%

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Issued by

Advice Letter No. 55

Date Filed                     

Decision No.                     

Brian Ducharme

NAME

Effective                     

General Manager

TITLE

Resolution No.

ALPINE CA-3, L.P.  
2573 CLAYBANK ROAD, STE. 3  
FAIRFIELD, CA 94533

ORNIA CELLULAR COMMUNICATIONS  
SOUTH BROADWAY  
CULVER CITY, CA 90248  
ATTN: VIDA MOHR

CELLULAR SERVICE, INC.  
6100 SAN FERNANDO ROAD  
GLENDALE, CA 91201  
ATTN: DAVID NELSON

COMTECH MOBILE TELEPHONE CO.  
3928 POINT EDEN WAY  
HAYWARD, CA 94545  
ATTN: STEVE MUIR

NATIONWIDE CELLULAR SERV.  
10549 JEFFERSON BLVD.  
CULVER CITY, CA 90232  
ATTN: BOB KAHN

LOS ANGELES CELLULAR TELEPHONE CO.  
OFFICE BOX 6028  
LOS ANGELES, CA 90702-6028  
ATTN: MICHAEL S. McNELLY

LOS ANGELES SMSA L.P.  
2999 OAK ROAD, MS 1050  
WALNUT CREEK, CA 94596  
ATTN: RICHARD C. NELSON

ARMOUR, GOODIN, ET AL.  
505 SANSOME ST., SUITE 900  
SAN FRANCISCO, CA 94111  
ATTN: JAMES SQUERI, ESQ

EARL NICHOLAS SELBY, ESQ.  
420 FLORENCE ST., STE. 200  
PALO ALTO, CA 94301  
ATTN: LYNN DUERR

HAROLD SAVING  
NATIONWIDE CELLULAR SERVICES  
YORK ROAD, STE. 119  
BOOK, IL 60521

ROCK BOTTOM CELLULAR  
3401 PACIFIC AVENUE, SUITE B  
MARINA DEL REY, CA 90292

KAREN ACKERMAN, ESQ.  
BECK, YOUNG, FRENCH & ACKERMAN  
STEUART STREET TOWER  
ONE MARKET PLAZA, SUITE 1900  
SAN FRANCISCO, CA 94105

CALL AMERICA, INC.  
2646 DUPONT DR., SUITE 270  
IRVINE, CA 92715-1689  
ATTN: STEPHAN ABRAHAM

CELLULAR TARIFF MANAGER  
CA RSA NO. 3 LTD. PARTNERSHIP  
C/O SIERRA CELLULAR  
P. O. BOX 2607  
OAKHURST, CA 93644

CONTEL CELLULAR  
CALIFORNIA RSA NO. 3, RSA NO. 4  
FRESNO MSA LTD. PARTNERSHIP  
245 PERIMETER CENTER PARKWAY  
10th FL.  
ATLANTA, GA 20346  
ATTN: LAURA BINION

SACRAMENTO-VALLEY L.P.  
2150 RIVER PLAZA DRIVE, STE. 400  
SACRAMENTO, CA 95833  
ATTN: GARY SCHINDLER

LOS ANGELES SMSA LTD.  
P.O. BOX 19707  
IRVINE, CA 92714  
ATTN: RANDY LAUB

CREATIVE LINKS CONSULTING  
4944 CORTE PLAYA DE CASTILLA  
SAN DIEGO, CA 92124  
ATTN: BONNIE SPEAKE ALEXANDER

NATIONAL CELLULAR NETWORK  
POST OFFICE BOX 7449  
WESTLAKE VILLAGE, CA 91359-7449  
ATTN: W.B. VERNON

PACTEL CELLULAR  
PACTEL MOBILE ACCESS  
PACTEL MOBILE SERVICES  
2999 OAK ROAD, MS 800  
WALNUT CREEK, CA 94596  
ATTN: MICHAEL MOWREY, ESQ.

PETER CASCIATO, ESQ.  
1500 SANSOME ST., #201  
SAN FRANCISCO, CA 94111

MCCAW CELLULAR, INC.  
1750 HOME AVE., STE. 300  
SACRAMENTO, CA 95825  
ATTN: STEVEN P. GOLDMAN

BAY AREA CELLULAR TELEPHONE CO.  
651 GATEWAY BLVD., SUITE 1500  
SO. SAN FRANCISCO, CA 94080  
ATTN: ADAM ANDERSEN

CELLULAND  
8252 CLAIREMONT MESA BLVD. #8  
SAN DIEGO, CA 92111-1702

GOLDEN WEST CELLULAR TELECOM  
1300 EAST KATELLA AVENUE  
ANAHEIM, CA 92805  
ATTN: BILL VALENTINE

RACHELLE B. CHONG, ESQ.  
MARTIN A. MATTES  
GRAHAM & JAMES  
ONE MARITIME PLAZA, STE. 300  
SAN FRANCISCO, CA 94111

BAKERSFIELD CELLULAR TELEPHONE CO.  
4180 TRUXTON AVENUE  
BAKERSFIELD, CA 93309  
ATTN: BOB GAHAN, GEN. MANAGER

SUZANNE TOLLER, ESQ.  
MORRISON & FOERSTER  
345 CALIFORNIA ST., 33RD FLR.  
SAN FRANCISCO, CA 94104-2105

MOBILECOMM OF CALIFORNIA, INC.  
1800 E. COUNTY LINE ROAD  
RIDGELAND, MS 39157  
ATTN: LEGAL DEPARTMENT

U S WEST CELLULAR OF CALIFORNIA  
3350 161ST AVE., S.E.  
BELLEVUE, WA 98008-1329  
ATTN: JENNIFER POMEROY

GERARD G. ADAMS, ESQ.  
1122 EAST GREEN STREET  
PASADENA, CA 91106

CELLULAR ONE  
2321 WEST MARCH LANE  
SUITE 210  
STOCKTON, CA 95207

COLUMBIA CELLULAR, INC.  
C/O GERARD G. ADAMS, ESQ.  
1122 EAST GREEN STREET  
PASADENA, CA 91106

R.W. SCHULTHEIS  
MISSION TELECOMMUNICATIONS CORP.  
P.O. BOX 6636  
LAGUNA NIGUEL, CA 92707-6636

SALINAS CELLULAR TELEPHONE CO.  
851 DEL MONTE AVENUE  
MONTEREY, CA 93940

THE PHONE COMPANY FRANCHISING CORP.  
1669 OLD BAYSHORE HIGHWAY  
BURLINGAME, CA 94010  
ATTN: RON ROSBERG

LAR ONE  
COMMERCE COURT, SUITE D  
CORDELIA, CA 94585  
ATTN: WANDA COOKE

WAYNE B. COOPER, ESQ.  
FARRAND, COOPER & BRUINIERS  
POST OFFICE BOX 7329  
SAN FRANCISCO, CA 94120

SANTA CRUZ CELLULAR TELE. CO.  
3949 RESEARCH PARK CT., STE. 100  
SOQUEL, CA 95073  
ATTN: AL RODRIGUES

SANTA BARBARA CELLULAR  
6485 CALLE REAL, SUITE E  
GOLETA, CA 93117

REDWOOD CELLULAR COMMUNICATIONS  
1184 YULUPA AVENUE  
SANTA ROSA, CA 95405

MOBILPHONE CORPORATION  
317 W. 7TH STREET  
EUREKA, CA 95501  
ATTN: BEN HOOVER

PRIME CELLULAR  
P.O. BOX 277  
AGOURA HILLS, CA 91301  
ATTN: KEVIN HAMILTON

ROBERT J. GLOISTEIN, ESQ.  
ORRICK, HERRINGTON & SUTCLIFFE  
400 SANSOME STREET  
SAN FRANCISCO, CA 94111

MATRIX CELLULAR RESOURCES  
3628 FOOTHILL BLVD.  
GLENDALE, CA 91214

ULTRATELECOM, INC.  
10846 WASHINGTON BLVD.  
CULVER CITY, CA 90232-3610  
ATTN: JORGE L. SERRON

DIGITAL COMM. NETWORK  
3396 WILLOW LANE SUITE 200  
WESTLAKE VILLAGE CA 91361  
ATTN: MARGRIT DORGELO

FRESNO CELLULAR TEL. CO.  
5260 NO. PALM AVENUE, #120  
FRESNO, CA 93710

GTE MOBILNET INC.  
4400 ROSEWOOD DR., 2ND FLR.  
MONTON, CA 94588  
SCHELLY K. JENSEN

CELLUPHONE  
6681 E. 26TH STREET  
LOS ANGELES, CA 90040  
ATTN: MITCHELL MOHR

MOTOROLA CELLULAR SERVICE, INC.  
600 NORTH U.S. HIGHWAY 45  
ROOM A-S245  
LIBERTYVILLE, IL 60048-1286  
ATTN: CARI M. ANDERSON

MY STORE, INC.  
1971 NORTH TUSTIN  
ORANGE, CA 92665

ALL PACIFIC CELLULAR, INC.  
P. O. BOX 58038  
SHERMAN OAKS, CA 91413  
ATTN: DALIA GOEL

MR. KEVIN GAVIN  
NEXTEL  
3675 MT. DIABLO BLVD., STE. 330  
LAFAYETTE, CA 94549

NATIONWIDE CELLULAR SERV.  
20 EAST SUNRISE HIGHWAY  
VALLEY STREAM, NY 11581-1252

WILLIAM G. IRVING, ESQ.  
COUNTY OF LOS ANGELES  
9150 E. IMPERIAL HIGHWAY  
DOWNEY, CA 90242

CAL-ONE CELLULAR  
P.O. BOX 627  
FORT JONES, CA 96032-0627  
ATTN: JAMES HENDRICKS

JAMAL FAKORY  
CELLULAR PACIFIC  
1166 BROADWAY, SUITE L  
PLACERVILLE, CA 95667

MORLEY MENDELSON, ESQ.  
C/O MESERVE, HUMPER & HUGHES  
333 SO. HOPE STREET, SUITE 3500  
LOS ANGELES, CA 90017

CALIFORNIA REAL ESTATE CELLULAR SERVICE  
CORPORATION  
1451 FRUITDALE AVENUE  
SAN JOSE, CA 95161-0790

DELTA TELECOM MOBILE  
SERVICE, INC.  
8050 EAST FLORENCE, STE. 11  
FLORENCE, CALIFORNIA 90240  
MARK KAHLEN

PACTEL CELLULAR  
5075 SHOREHAM PLACE, STE. 100  
SAN DIEGO, CA 92122  
ATTN: SCOTT HOGANSON

CONTEL CELLULAR OF  
CALIFORNIA, INC.  
770 E. SHAW AVE., #131  
FRESNO, CA 93710  
ATTN: PAUL KLUNG

UNITED STATES CELLULAR  
533-B SOUTH STATE STREET  
UKIAH, CA 95482  
ATTN: SAM WHITEHEAD

GENERAL MANAGER  
CELLULAR ONE  
751 DAILY DR., SUITE 116  
CAMARILLO, CA 93010

1271\9109\cellular.lbl



# CONTEL CELLULAR

(510) 416-0150

10 Rosewood Drive  
Pleasanton, CA 94588

July 29, 1993

## Via Fax

Mr. Jack Leutza  
California Public Utilities Commission  
Telecommunications Branch, Room 3-D  
505 Van Ness Avenue  
San Francisco, CA 94102

RE: Bakersfield Cellular Telephone Company (U-3017-C)  
Advice Letter No. 55

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Dear Mr. Leutza:

On behalf of Fresno MSA Limited Partnership (U-3005-C) ("Fresno"), Contel Cellular hereby protests Bakersfield Cellular Telephone Company's ("BCTC") Advice Letter No. 55 dated July 9, 1993.

In its Advice Letter No. 55 BCTC extends an existing High Volume Discount Plan. This plan was originally offered when BCTC had only one rate plan and was offered as a discount off of BCTC's standard rate plan. However, today BCTC has a number of rate plans, including a Multiple Line Plan, which provide significant discounts to customers. Fresno believes that BCTC has allowed customers on its various rate plans to take advantage of the High Volume Discount Plan. Such an application of the High Volume Discount Plan flies in the face of the Commission's requirements for such plans.

For example, if a Multiple Line Plan customer were to also receive a discount under the High Volume Discount Plan, that customer could ultimately pay a rate lower than BCTC's wholesale rate. Under the CPUC decision regarding volume user plans (D.90-06-025) such plan rates are required to be set five percent above the wholesale rate. To ensure that BCTC meets this requirement, its High Volume Discount Plan should specify that the discount is available only for customers on the Basic Service plan. The High Volume Discount Plan currently states that the discount applies against the "Basic Monthly Access Charges and Usage rates," and Fresno believes that BCTC has interpreted that to mean any rate plan's basic monthly access and usage rates.

EXHIBIT E



Mr. Jack Leutza  
July 29, 1993  
Page 2

Fresno requests that BCTC be required to revise its tariff to limit the offering of the High Volume Discount Plan to customers subscribing to BCTC's Basic Service plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Schelly K. Jensen". The signature is fluid and cursive, with the first name "Schelly" being more prominent and the last name "Jensen" following in a similar style.

Schelly K. Jensen  
Regulatory & Legislative  
Affairs Manager

cc: David Simpson

Exhibit F

U-3017-C

BAKERSFIELD CELLULAR TELEPHONE COMPANY  
4180 TRUXTUN AVENUE  
BAKERSFIELD, CALIFORNIA 93309

ADVICE LETTER NO. 55-A

October 14, 1993

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA

Bakersfield Cellular Telephone Company ("Utility") hereby submits the original and five copies of the following tariff sheets relating to its cellular radiotelephone service:

New CPUC  
Sheet No.

Cancelling  
CPUC Sheet No.

3-T 38th Revised Sheet No. 1  
3-T 6th Revised Sheet No. 9

3-T 37th Revised Sheet No. 1  
3-T 5th Revised Sheet No. 9

The purpose of this Supplemental Advice Letter is to limit the applicability of the High Volume Discount Plan to Basic Service subscribers.

Utility requests that the tariff changes submitted herewith be made effective pursuant to General Order 96-A. Copies of this Advice Letter and related tariff sheets are being mailed to all competing and adjacent utilities and to other interested parties having requested such information.

Anyone may protest this Advice Letter to the California Public Utilities Commission ("Commission"). The protest must set forth the specific grounds on which it is based, including such items as financial and service impact. A protest must be made in writing and received within 20 days of the date this Advice Letter was filed with the Commission. The address for mailing and delivering a protest to the Commission is:

Chief, CACD Telecommunications Branch  
California Public Utilities Commission  
505 Van Ness Avenue, Room 3203  
San Francisco, California 94102

EXHIBIT F

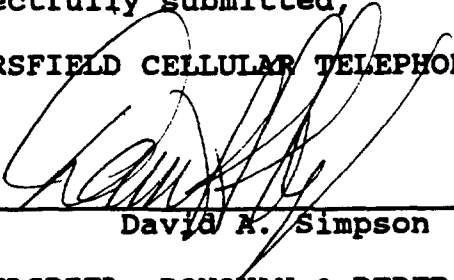
A copy must be mailed to the undersigned Utility on the same date it is mailed or deliver to the Commission.

After filing these tariff sheets, please provide this office with a file-stamped copy of this Advice Letter (an extra copy has been enclosed), with accompanying tariff sheets, in the enclosed self-addressed stamped envelope.

Respectfully submitted,

BAKERSFIELD CELLULAR TELEPHONE COMPANY

By

  
David A. Simpson

DINKELSPIEL, DONOVAN & REDER  
One Embarcadero Center, Suite 2701  
San Francisco, CA 94111  
Telephone: (415) 788-1100

Its Attorneys

CELLULAR RADIO TELECOMMUNICATIONS SERVICE (RETAIL)

LIST OF EFFECTIVE SHEETS

<u>Sheet</u>	<u>Number of Revision</u>	
Title	Original	
1	38th Revised	(T)
2	8th Revised	
3	3rd Revised	
4	2nd Revised	
5	3rd Revised	
5.1	Original	
5.2	Original	
5.3	1st Revised	
5.4	1st Revised	
6	1st Revised	
7	4th Revised	
8	7th Revised	
9	6th Revised	(T)
10	2nd Revised	
11	2nd Revised	
12	Original	
13	1st Revised	
14	6th Revised	
15	2nd Revised	

Issued by

Advice Letter No. 55-A

Date Filed \_\_\_\_\_

Brian Ducharme

Decision No. \_\_\_\_\_

NAME

Effective \_\_\_\_\_

General Manager

TITLE

Resolution No. \_\_\_\_\_

CELLULAR RADIO TELECOMMUNICATIONS SERVICE  
(Continued)

SPECIAL CONDITIONS - RETAIL (Continued)

G. Temporary Promotional Offering: (Continued)

High Volume Discount Plan (Continued)

3. Eligibility

The High Volume Discount Plan is available only to a Basic Service Subscriber who is either (a) a Subscriber that cellular service for its own use, or (b) a large organization that (i) purchases service in volume for the use of its members, officers or employees, and (ii) passes through the cost of service (without any mark-up or any special cellular service fee) to such members, officers or employees and (iii) retains responsibility for paying the entire bill for such service. The discounts shown above are available only to Subscribers who furnish the Company with a written commitment to take service from the Company at one of the levels of usage shown above for a period of 12 consecutive months. The only discount to which the Subscriber will be entitled is the percentage shown above for the Plan Level to which the Subscriber has made such a commitment. As described in paragraph 2, this discount will be applied to the Basic Monthly Access Charges and Usage rates (peak and off-peak) incurred by any Subscriber on the cellular telephone numbers that the Subscriber has listed in the Subscriber's written commitment. (N)

The Subscriber shall be entitled to receive the discount through the term of the Subscriber's 12-month commitment, and on a month-to-month basis thereafter until the Subscriber cancels participation in the High Volume Discount Plan or until the Company cancels the High Volume Discount Plan, as provided below.

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Issued by

Advice Letter No. 55-A

Brian Ducharme

Date Filed \_\_\_\_\_

Decision No. \_\_\_\_\_

NAME

Effective \_\_\_\_\_

General Manager

TITLE

Resolution No. \_\_\_\_\_

ALPINE CA-3, L.P.  
2573 CLAYBANK ROAD, STE. 3  
FAIRFIELD, CA 94533

CALIFORNIA CELLULAR COMMUNICATIONS  
20 SOUTH BROADWAY  
SAN DIEGO, CA 90248  
ATTN: VIDA MOHR

CELLULAR SERVICE, INC.  
6100 SAN FERNANDO ROAD  
GLENDALE, CA 91201  
ATTN: DAVID NELSON

COMTECH MOBILE TELEPHONE CO.  
3928 POINT EDEN WAY  
HAYWARD, CA 94545  
ATTN: STEVE MUIR

NATIONWIDE CELLULAR SERV.  
10549 JEFFERSON BLVD.  
CULVER CITY, CA 90232  
ATTN: LYNN GOFFINEY

LOS ANGELES CELLULAR TELEPHONE CO.  
OFFICE BOX 6028  
CULVER CITY, CA 90232  
ATTN: MICHAEL S. McNELLY

LOS ANGELES SMSA L.P.  
2999 OAK ROAD, MS 1050  
WALNUT CREEK, CA 94596  
ATTN: RICHARD C. NELSON

ARMOUR, GOODIN, ET AL.  
505 SANSOME ST., SUITE 900  
SAN FRANCISCO, CA 94111  
ATTN: JAMES SQUERI, ESQ

EARL NICHOLAS SELBY, ESQ.  
420 FLORENCE ST., STE. 200  
PALO ALTO, CA 94301  
ATTN: LYNN DUERR

HAROLD SAVING  
NATIONWIDE CELLULAR SERVICES  
100 YORK ROAD, STE. 119  
BROOK, IL 60521

ROCK BOTTOM CELLULAR  
3401 PACIFIC AVENUE, SUITE B  
MARINA DEL REY, CA 90292

KAREN ACKERMAN, ESQ.  
BECK, YOUNG, FRENCH & ACKERMAN  
STEUART STREET TOWER  
ONE MARKET PLAZA, SUITE 1900  
SAN FRANCISCO, CA 94105

CALL AMERICA, INC.  
2646 DUPONT DR., SUITE 270  
IRVINE, CA 92715-1689  
ATTN: STEPHAN ABRAHAM

CELLULAR TARIFF MANAGER  
CA RSA NO. 3 LTD. PARTNERSHIP  
C/O SIERRA CELLULAR  
P. O. BOX 2607  
OAKHURST, CA 93644

CONTEL CELLULAR  
CALIFORNIA RSA NO. 3, RSA NO. 4  
FRESNO MSA LTD. PARTNERSHIP  
245 PERIMETER CENTER PARKWAY  
10th FL.  
ATLANTA, GA 20346  
ATTN: LAURA BINION

SACRAMENTO-VALLEY L.P.  
2150 RIVER PLAZA DRIVE, STE. 400  
SACRAMENTO, CA 95833  
ATTN: GARY SCHINDLER

LOS ANGELES SMSA LTD.  
P.O. BOX 19707  
IRVINE, CA 92714  
ATTN: RANDY LAUB

CREATIVE LINKS CONSULTING  
4944 CORTE PLAYA DE CASTILLA  
SAN DIEGO, CA 92124  
ATTN: BONNIE SPEAKE ALEXANDER

NATIONAL CELLULAR NETWORK  
POST OFFICE BOX 7449  
WESTLAKE VILLAGE, CA 91359-7449  
ATTN: W.B. VERNON

PACTEL CELLULAR  
PACTEL MOBILE ACCESS  
PACTEL MOBILE SERVICES  
2999 OAK ROAD, MS 800  
WALNUT CREEK, CA 94596  
ATTN: MICHAEL MOURREY, ESQ.

PETER CASCIATO, ESQ.  
1500 SANSOME ST., #201  
SAN FRANCISCO, CA 94111

MCCAW CELLULAR, INC.  
1750 HOME AVE., STE. 300  
SACRAMENTO, CA 95825  
ATTN: STEVEN P. GOLDMAN

BAY AREA CELLULAR TELEPHONE CO.  
651 GATEWAY BLVD., SUITE 1500  
SO. SAN FRANCISCO, CA 94080  
ATTN: ADAM ANDERSEN

CELLULAND  
8252 CLAIREMONT MESA BLVD. #8  
SAN DIEGO, CA 92111-1702

GOLDEN WEST CELLULAR TELECOM  
1300 EAST KATELLA AVENUE  
ANAHEIM, CA 92805  
ATTN: BILL VALENTINE

RACHELLE B. CHONG, ESQ.  
MARTIN A. MATTES  
GRAHAM & JAMES  
ONE MARITIME PLAZA, STE. 300  
SAN FRANCISCO, CA 94111

BAKERSFIELD CELLULAR TELEPHONE CO.  
4180 TRUXTON AVENUE  
BAKERSFIELD, CA 93309  
ATTN: BOB GAHAN, GEN. MANAGER

SUZANNE TOLLER, ESQ.  
MORRISON & FOERSTER  
345 CALIFORNIA ST., 33RD FLR.  
SAN FRANCISCO, CA 94104-2105

MOBILECOMM OF CALIFORNIA, INC.  
1800 E. COUNTY LINE ROAD  
RIDGELAND, MS 39157  
ATTN: LEGAL DEPARTMENT

U S WEST CELLULAR OF CALIFORNIA  
3350 161ST AVE., S.E.  
BELLEVUE, WA 98008-1329  
ATTN: JENNIFER POMEROY

GERARD G. ADAMS, ESQ.  
1122 EAST GREEN STREET  
PASADENA, CA 91106

CELLULAR ONE  
2321 WEST MARCH LANE  
SUITE 210  
STOCKTON, CA 95207

COLUMBIA CELLULAR, INC.  
C/O GERARD G. ADAMS, ESQ.  
1122 EAST GREEN STREET  
PASADENA, CA 91106

REGULATORY AFFAIRS OFFICE  
MISSION TELECOMMUNICATIONS CORP.  
BOX 7213  
CHARLOTTESVILLE, VA 22906

SALINAS CELLULAR TELEPHONE CO.  
851 DEL MONTE AVENUE  
MONTEREY, CA 93940

THE PHONE COMPANY FRANCHISING CORP.  
1669 OLD BAYSHORE HIGHWAY  
BURLINGAME, CA 94010  
ATTN: RON ROSBERG

CELLULAR ONE  
COMMERCE COURT, SUITE D  
CORDELIA, CA 94585  
ATTN: WANDA COOKE

WAYNE B. COOPER, ESQ.  
FARRAND, COOPER & BRUINIERS  
POST OFFICE BOX 7329  
SAN FRANCISCO, CA 94120

SANTA CRUZ CELLULAR TELE. CO.  
3949 RESEARCH PARK CT., STE. 100  
SOQUEL, CA 95073  
ATTN: AL RODRIGUES

OFFICE ADMINISTRATOR  
SANTA BARBARA CELLULAR  
800 NORTH MILPAS STREET  
SANTA BARBARA, CA 93103

REDWOOD CELLULAR COMMUNICATIONS  
1184 YULUPA AVENUE  
SANTA ROSA, CA 95405

MOBILPHONE CORPORATION  
317 W. 7TH STREET  
EUREKA, CA 95501  
ATTN: BEN HOOVER

PRIME CELLULAR  
P.O. BOX 277  
AGOURA HILLS, CA 91301  
ATTN: KEVIN HAMILTON

ROBERT J. GLOISTEIN, ESQ.  
ORRICK, HERRINGTON & SUTCLIFFE  
400 SANSOME STREET  
SAN FRANCISCO, CA 94111

MATRIX CELLULAR RESOURCES  
3628 FOOTHILL BLVD.  
GLENDALE, CA 91214

ULTRATELECOM, INC.  
10846 WASHINGTON BLVD.  
CULVER CITY, CA 90232-3610  
ATTN: JORGE L. SERRON

DIGITAL COMM. NETWORK  
3396 WILLOW LANE SUITE 200  
WESTLAKE VILLAGE CA 91361  
ATTN: MARGRIT DORGELO

FRESNO CELLULAR TEL. CO.  
5260 NO. PALM AVENUE, #120  
FRESNO, CA 93710

GTE MOBILNET INC.  
10 ROSEWOOD DR., 2ND FLR.  
SANTON, CA 94588  
ATTN: SCHELLY K. JENSEN

CELLUPHONE  
6681 E. 26TH STREET  
LOS ANGELES, CA 90040  
ATTN: MITCHELL MOHR

MOTOROLA CELLULAR SERVICE, INC.  
600 NORTH U.S. HIGHWAY 45  
ROOM A-8245  
LIBERTYVILLE, IL 60048-1286  
ATTN: CARL M. ANDERSON

MY STORE, INC.  
1971 NORTH TUSTIN  
ORANGE, CA 92665

ALL PACIFIC CELLULAR, INC.  
P. O. BOX 58038  
SHERMAN OAKS, CA 91413  
ATTN: DALIA GOEL

MR. KEVIN GAVIN  
NEXTEL  
3675 MT. DIABLO BLVD., STE. 330  
LAFAYETTE, CA 94549

NATIONWIDE CELLULAR SERV.  
20 EAST SUNRISE HIGHWAY  
VALLEY STREAM, NY 11581-1252

WILLIAM G. IRVING, ESQ.  
COUNTY OF LOS ANGELES  
14585 CHIMNEY ROCK ROAD  
PASO ROBLES, CA 93446

CAL-ONE CELLULAR  
P.O. BOX 627  
FORT JONES, CA 96032-0627  
ATTN: JAMES HENDRICKS

JAMAL FAKORY  
CELLULAR PACIFIC  
1166 BROADWAY, SUITE L  
PLACERVILLE, CA 95667

MORLEY MENDELSON, ESQ.  
700 S. FLOWER STREET  
SUITE 500  
LOS ANGELES, CA 90017

CALIFORNIA REAL ESTATE CELLULAR SERVICE  
CORPORATION  
1451 FRUITDALE AVENUE  
SAN JOSE, CA 95161-0790

DELTA TELECOM MOBILE  
SERVICE, INC.  
8050 EAST FLORENCE, STE. 11  
MILPITAS, CALIFORNIA 90240  
ATTN: MARK KAHLEN

GENERAL MANAGER  
CELLULAR ONE  
751 DAILY DR., SUITE 116  
CAMARILLO, CA 93010

CONTEL CELLULAR OF  
CALIFORNIA, INC.  
770 E. SHAW AVE., #131  
FRESNO, CA 93710  
ATTN: PAUL KLUNG

UNITED STATES CELLULAR  
533-B SOUTH STATE STREET  
UKIAH, CA 95482  
ATTN: SAM WHITEHEAD

ABS TELEPHONE COMPANY, INC.  
5700 MOON DRIVE  
VENTURA, CA 93003

1271\9109\cellular.lbt



